IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
THE HON'BLE SRI JUSTICE M.NARAYANA REDDY

WRIT APPEAL No. 1730 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 30/08/2004 in WVMP No.71 of 2004 in WPMP No.22289 of 2003 WP No. 14892 OF 2003 on the file of the High Court.)

Between:

1.A.V.Papayya Sastry, S/o Late Satyanarayana Rao (Sastry)
R/o Akella House, Plot No.6, Sector 10, M.V.P.Colony, Visakhapatnam.
2.Smt.Akella Seethadevi, W/o Late Suryanarayana,
R/o D.No.10-27-5A, Opp.Waltair Club, Visakhapatnam
3. A.N.Suryanarayana Rao, S/o Suryanarayana Rao,
C/o Akella Seethadevi, D.No.10-27-5A, Opp: Waltair Club,
Visakhapatnam.

..... APPELLANTS.

AND

1. The Special Tahsildar, Land Acquisition, Revenue Division, Visakhapatnam.
2. The District Collector, Visakhapatnam, Visakhapatnam District
3. Visakhapatnam Port Trust, Visakhapatnam, rep.by its Estate Manager.
4. The Govt.of A.P.Rep.by its Principal Secretary, Revenue Department, Secretariat, Hyderabad.
5. The Special Officer & Competent Authority Urban Land Ceilings, Govt.of A.P., Hyderabad.

.....RESPONDENTS.

Counsel for the Appellant: Mr.P.VENUGOPAL

Counsel for Respondent Nos.1,2,4&5: G.P. for Land Acquisition

Counsel for Respondent No.3: Mr.K.Srinivasa Murthy.

The Court made the following :

ORAL JUDGMENT:

(per The Honourable Sri Devinder Gupta, the Chief Justice)

We have gone through the order passed by the learned Single Judge, and, gone through the various facts, as has been narrated by the learned counsel and reflected in the Memorandum of Appeal. In view of the fact that Division Bench of this Court has recalled the earlier judgment, pursuant to which appellants were paid Rs.30.00 lakhs, there is no reason why there should be stay continued for the recovery of the said amount initiated by the respondents.

Learned Single Judge has rightly vacated the interim order granted earlier, and, we see no reason to interfere with the said order. Writ Appeal is dismissed. No costs.

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DEVINDER GUPTA, C.J.

23.11.2004.

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M.NARAYANA REDDY, J.

VR.

To

1. The Special Tahsildar, Land Acquisition, Revenue Division, Visakhapatnam.
2. The District Collector, Visakhapatnam, Visakhapatnam District.

3. The Estate Manager, Visakhapatnam Port Trust, Visakhapatnam.
4. The Principal Secretary, Govt.of A.P., Revenue Department, Secretariat, Hyderabad.
5. The Special Officer & Competent Authority Urban Land Ceilings, Govt.of A.P., Hyderabad.

6. Two CCs to Government Pleader for Land Acquisition, High Court Buildings, Hyderabad (OUT).

7. Two CD copies.